

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS,)	
JOHN MEINERS, and DANIEL)	
UMPA, individually and)	
on behalf of all others similarly situated,)	
)	Case No. 4:23-cv-00788-SRB
Plaintiffs,)	
)	
v.)	
)	
THE NATIONAL ASSOCIATION OF)	
REALTORS, et al.,)	
)	
Defendants.)	

PARTIAL FINAL JUDGMENT

This Partial Final Judgment incorporates by reference the definitions in the Settlement Agreements.

In accordance with this Court’s order granting final settlement approval (Doc. #530), Judgment is entered on behalf of the following classes to whom notice was directed, except those who have excluded themselves from the matter:

1. As to Compass, Douglas Elliman, HomeSmart, Real Brokerage, Realty ONE, United Real Estate: All persons who sold a home that was listed on a multiple listing service¹ anywhere in the United States where a commission was paid to any brokerage in connection with the sale of the home in the following date ranges:
 - i. October 31, 2019 to date of Class Notice.

¹ The term “multiple listing service,” as used herein, includes non-NAR multiple listing services, including but not limited to NWMLS, WPMLS, and REBNY / RLS.

2. As to Redfin: All persons who sold a home that was listed on a multiple listing service anywhere in the United States where a commission was paid to any brokerage in connection with the sale of the home in the following date ranges:

- i. Homes in Nevada: January 15, 2018 to date of Class Notice;
- ii. Homes in California: October 2, 2019 to date of Class Notice; and
- iii. For all other homes: October 31, 2019 to date of Class Notice.

3. As to Engel & Völkers and @properties: All persons who sold a home that was listed on a multiple listing service anywhere in the United States where a commission was paid to any brokerage in connection with the sale of the home in the following date ranges:

- i. Homes in Arkansas, Kentucky, and Missouri: October 31, 2018 to date of Class Notice;
- ii. Homes in Alabama, Georgia, Indiana, Maine, Michigan, Minnesota, New Jersey, Pennsylvania, Tennessee, Vermont, Wisconsin, and Wyoming: October 31, 2017 to date of Class Notice;
- iii. For all other homes: October 31, 2019 to date of Class Notice.

The Settling Parties are to bear their own costs, except as otherwise provided in the Settlement Agreement and the orders of this Court.

The case is dismissed with prejudice as to the Compass, Real Brokerage, Realty One, @properties, Douglas Elliman, Redfin, Engel & Völkers, HomeSmart, and United Real Estate Defendants.

Members of the Settlement Class, unless they excluded themselves from the Settlement Class, are hereby enjoined from filing, commencing, prosecuting, intervening in, or pursuing as a plaintiff or class member any Released Claims against any of the Released Parties, which include

Settling Defendants' franchisees and affiliated brokerages, and agents affiliated with those franchisees or affiliated brokerages.

Released Claims include claims that arise from or relate to conduct that was alleged or could have been alleged in the Actions based on any or all of the same factual predicates for the claims alleged in the Actions, including but not limited to commissions negotiated, offered, obtained, or paid to brokerages in connection with the sale of any residential home. For the avoidance of doubt, this injunction extends to claims arising from or relating to transactions where Settlement Class Members either sold or purchased a home on any multiple listing service nationwide, regardless of affiliation or association with NAR or not, and thus includes, e.g., NWMLS, WPMLS, and REBNY/RLS. This injunction does not extend to any individual claims that a plaintiff or class member may have against his or her own broker or agent based on breach of contract, breach of fiduciary duty, malpractice, negligence or other tort claim, other than a claim that a class member paid an excessive commission or home price due to the claims at issue in the Actions.

The Court expressly retains continuing and exclusive jurisdiction over all matters relating to the administration and consummation of the Settlements and to interpret, implement, administer and enforce the Settlements (including with respect to the scope of the Settlement Class, Released Claims, and Released Parties), in accordance with their terms, and to implement and complete the claims administration process, in accordance with the Settlements, for the benefit of the Settlement Class.

Upon a finding that there is no just reason for delay in certifying this judgment for appeal (Doc. #530), **JUDGMENT** is hereby entered pursuant to Federal Rule of Civil Procedure 54(b) as to the Class claims against the Compass, Real Brokerage, Realty One, @properties, Douglas

Elliman, Redfin, Engel & Völkers, HomeSmart, and United Real Estate Defendants (“Settling Defendants”), except for the claims of individuals who validly and timely excluded themselves from the Settlements as identified in Exhibit A.

In the event any of the Settlements do not become Effective in accordance with the terms of the Settlement Agreements, then this Partial Final Judgment shall be rendered null and void and shall be vacated as to the Settling Defendants whose Settlements did not become Effective.

IT IS SO ORDERED.

/s/ Stephen R. Bough
STEPHEN R. BOUGH, JUDGE
UNITED STATES DISTRICT COURT

Date: December 16, 2024